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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/722,449 | 11/28/2003 | Myung Ho Kang | 0465-1095P | 8263 |
| 2292 | 7590 | 05/17/2006 | EXAMINER | |
| BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747 | | | HUSBAND, SARAH E | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1746 | |

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/722,449

Applicant(s)

KANG, MYUNG HO

Examiner

Sarah E. Husband

Art Unit

1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13,14,16-18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13,14,16-18 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments, see Remarks, filed 2/21/2006, with respect to the objection to the specification and claims have been fully considered and are persuasive. In light of the amendments, the objections of the specification and claims have been withdrawn.

Applicant's arguments, see Remarks, filed 2/21/2006, with respect to the rejection(s) of claim(s) 1-3 under 35 USC 102(b) have been fully considered and are persuasive in light of the amendments. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Jacobson and Skowronski (US 987,021).

Applicant's arguments filed 2/21/2006 have been fully considered but they are not persuasive with respect to claims 4-11, 13, 14, 16-18 and 20. Applicant's arguments regarding the lack of a pair of protrusions are not persuasive because they are described as Item 64. Although the two pairs are not shown, as described in the 103(a) rejection, one of ordinary skill in the art would foresee this addition, if it is not already present, in order to properly secure and operate the lock. Applicant's arguments regarding Jacobson in view of Ito are also not persuasive because this apparatus would easily detect when the door was open and require less parts. Therefore, it would be obvious to modify Jacobson with Ito for these benefits as was described in the previous office action. Therefore the rejection regarding these claims is maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6, 7, 10, 11, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Jacobson (US Patent No. 3,133,168).

Jacobson discloses a dishwasher (10) having a cabinet (12), a door (20), a latch mechanism (locker), coupling member (62), and a switch (80). Jacobson also discloses a spring attached to a plate (68) and the coupling members being brought into contact with both sides of the locker (Fig. 4). Jacobson further describes an inclined portion of the locker (50) brought into contact with the coupling members (62), which the front end inclines slower than the rear end (See Fig. 4). Jacobson also discloses a switch with a button (82) (See entire document, esp. col. 2-3). Jacobson does disclose a pair of fixing protrusions (Fig. 3, Item 64) which both of the coupling members are attached and are in the center of the first and second coupling members.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson (US Patent No. 3,13,168) in view of Skowronski (US 987,021).

Jacobson discloses a dishwasher with a cabinet, door, locker, first and second coupling member, and switch (See Fig. 3). Jacobson discloses the plate attached to the spring. Jacobson does not specifically disclose the coupling member is a plate spring in the form of a plate which exerts a force when bent. Skowronski discloses a door latch having a plate spring in the form of a plate which exerts a force when bent (See Fig. 1). At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Jacobson with Skowronski for the benefit of making the lock structure cheaply (ll. 58-63).

Claims 4, 5, 8, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson.

Jacobson discloses the dishwasher and locking mechanism described above in the 102(b) rejection. Jacobson does not specifically disclose two pairs of fixing protrusions wherein both of the first and second coupling members are hooked to be coupled to the fixing protrusions. Jacobson does disclose a pair of fixing protrusions (Fig. 3, Item 64) which both of the coupling members are attached (hooked). However, one of ordinary skill in the art would foresee that the fixing protrusions should be present on the opposite side of the coupling member (side not shown) forming two pairs and there would also be guides on both of these sides as well (Item 70). Therefore, at the time of the invention it would have been obvious to one of ordinary skill in the art to provide these fixing protrusions for the benefit of the locking mechanism operating more smoothly.

Claims 13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson in view of Ito (US Patent No. 6,539,753).

Jacobson discloses the door locking mechanism above in the 102(b) and 103(a) rejections. Jacobson does not expressly disclose the button directly in contact with the locker. Ito discloses the button of the switch in direct contact with the locker (claw) (Fig. 3,4, 7; col. 6-7). Jacobson and Ito are analogous art because they are from the same field of endeavor, door locks for washing apparatus. At the time of the invention it would have been obvious to one of ordinary skill in the art to modify Jacobson with Ito for the benefit of easily detecting when the door is open.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art not referred to are White (US 3520568), Quinn (US 2594582), Rummelsburg (US 2511998) and Wootton (US 2942905), who disclose plate springs in the form of plates for closing cabinets.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened

statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah E. Husband whose telephone number is (571) 272-8387. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571) 272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MICHAEL BARR
SUPERVISORY PATENT EXAMINER



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